REMARKS/ARGUMENTS

The applicants have studied the office action mailed December 13, 2007, and have made the changes believed appropriate to place the application in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claims 1-42 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

It is the Examiner's position that the term "the task to be completed by way of the cumulative effort of the plurality of controllers completing seaprately the partitions of the task" was not found in the specification. The applicants respectfully disagree that the cited term does not meet the written description requirement. However, in order to expedite prosecution, the cited term has been deleted from the claims.

Claims 1-42 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is the Examiner's position that in claim 1, the term "completely seaprately the partitions" (line 16) is spelled incorrectly and grammatically incorrect. As noted above, the term has been deleted from the claims and therefore it is respectfully submitted that the rejection is moot.

The claims have further been amended to substitute the term "comprises" for the term "consists of".

As set forth above, claims have been amended to overcome §112 objections and rejections raised for the first time by the Examiner in the latest Office Action. It is respectfully submitted that these amendments will not require a new search or raise new issues for consideration by the Examiner. It is submitted that these amendments place the claims in better form for appeal. These amendments were not presented earlier because they were deemed appropriate to advance prosecution after receipt of the latest Office Action. The Examiner is therefore respectfully requested to enter and consider these amendments after the final rejection.

Also it is respectfully submitted that the amendments are made to clarify recited features and do not narrow the scope of the claimed inventions.

Although Applicants amended claims to overcome the unpatentable rejection, Applicants are not conceding in this application that the claims in their pre-amended form are invalid for being unpatentable, as the present claim amendments are only for facilitating expeditious

prosecution. Applicants respectfully reserve the right to pursue these and other claims in this present application and one or more continuations and/or divisional patent applications.

Claims 1- 42 have been rejected under 35 U.S.C. 103(a) as being unpatentable over DeKoning et al. (hereinafter DeKoning) (US 6,073,218) in view of Zhang et al. (hereinafter Zhang) ("A Design Methodology for Real-Time Systems to be Implemented on Multiprocessor Machines", 1996 by Elsevier Science Inc.), and further in view of Silberschatz et al. (hereinafter Silberschatz) ("Operating System Concepts: Fifth Edition", John Wiley & Sons, Inc., 1999). These rejections are respectfully traversed.

Claim 23, for example, is directed to a method for cooperative distributed task management in a storage subsystem with multiple controllers, comprising "initiating by an initiating controller a task to be performed; establishing by the initiating controller a task coordination data object shared by the multiple controllers, wherein the task coordination data object comprises discrete partitions of the task comprising task instructions and states for each partition of the task, task instructions for each partition of the task capable of being completed separately by one of the plurality of controllers; and selecting by a free controller a partition of the task available for completing separately and independently of the other controllers as indicated by the states for each partition of task instructions."

It is respectfully submitted that the Examiner's citations to the cited DeKoning, Zhang and Silberschatz references, considered either alone or in combination, fail to provide any teaching, suggestion, motivation or circumstance which makes obvious, for example, the recited operation of "selecting by a free controller a partition of the task available for completing separately and independently of the other controllers as indicated by the states for each partition of task instructions" as required by claim 23. The Examiner concedes that "DeKoning is silent in having discrete partitions of the task process and selecting a task partition during the processing." However, it is the Examiner's position that "Zhang teaches a system that can be implemented on multiprocessor machines with an operating system, wherein tasks can be partitioned into smaller tasks for parallel processing" and that one of ordinary skill in the art would have "known to modify DeKoning's processing system such that its tasks would be broken into partitioned tasks within a larger task." The applicants respectfully disagree. However, even if it were assumed that the Examiner's position is correct, a position not conceded by the applicants, it is respectfully submitted that the Examiner's citations to the Zhang

reference fail to teach or suggest "selecting by a free controller a partition of the task available for completing separately and independently of the other controllers as indicated by the states for each partition of task instructions." On the contrary, it appears that that Zhang reference requires tasks to be *assigned to processors* (see page 47) rather than being selected by a free controller separately and independently of the other controllers. Similarly, it appears that any task partitions in the Zhang reference would likewise be *assigned to processors* rather than being selected by a free controller separately and independently of the other controllers.

As explained in the present specification, allowing task partitions to be selected by a free controller can improve system performance in some applications. It is appreciated that in other applications, other features may be realized.

The deficiencies of the Examiner's citations to the DeKoning and Zhang references are not met by the Examiner's citations to the Silberschatz reference. Independent claims 1, 12, 34 and 42 may be distinguished in a similar fashion. Accordingly, it is respectfully submitted that the rejection of the independent claims be withdrawn.

The rejection of the dependent claims is improper for the reasons given above. Moreover, the dependent claims include additional limitations, which in combination with the base and intervening claims from which they depend provide still further grounds of patentability over the cited art. Accordingly, it is respectfully submitted that the rejection of the claims be withdrawn.

The Examiner has made various comments concerning the anticipation or obviousness of certain features of the present inventions. Applicants respectfully disagree. Applicants have addressed those comments directly hereinabove or the Examiner's comments are deemed moot in view of the above response.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable. Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0466.

The attorney of record invites the Examiner to contact him at (310) 553-7970 if the Examiner believes such contact would advance the prosecution of the case.

Dated: February 13, 2008   By: /William Konrad/

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